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Fifth District

April 17, 2006

To: Mayor Michael D. Antonovich  
Supervisor Gloria Molina  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

From: David E. Janssen  
Chief Administrative Officer

**MOTION TO SUPPORT SECRETARY OF STATE BRUCE MACPHERSON'S  
URGENCY LEGISLATIVE PROPOSAL TO AMEND ELECTIONS CODE  
SECTION 2154, IN ORDER TO AUTOMATE THE GATHERING OF IDENTIFYING  
INFORMATION NECESSARY TO COMPLETE VOTER REGISTRATION AFFIDAVITS  
(SUPPLEMENTAL AGENDA ITEM NO. 80-F, OF APRIL 18, 2006)**

Item No 80-F on the April 18, 2006 Supplemental Agenda is a motion by Mayor Antonovich recommending that the Board support Secretary of State, Bruce McPherson's urgency legislative proposal to amend elections Code Section 2154, in order to automate the gathering of identifying information necessary to complete voter registration affidavits and to send a five-signature letter to Governor Schwarzenegger, the State Senate Pro tem, Speaker of the Assembly, the State Senate and Assembly Minority leaders, and the Los Angeles County Legislative Delegation.

According to the Secretary of States' press release, he is sponsoring proposed legislation to improve current State law and help to ensure that eligible voters will be able to register, vote and have their voices counted on Election Day. There is no bill which contains this language yet.

Beginning with elections in 2006, existing law requires the implementation of a statewide voter registration database which will verify the voter's identity when registering or re-registering to vote. SB 1016 (Bowen), Chapter 726, Statutes of 2005 requires that when voters register or re-register to vote, they must provide a California Driver's License number or California identification number if one has been issued. If

one has not been issued they must provide the last four digits of their Social Security number. If the voter does not provide a Driver's License number, but all of their personal information matches exactly with a Department of Motor Vehicles (DMV) record, the voter must be personally contacted to confirm their identity. Local County elections officials have indicated that in this case, current technology allows for verification of the voter's identity without this additional step of contacting the voter.

According to Secretary McPherson's press release, his proposal would mean that if all other personal information provided by the voter matches a single DMV record, the voter would not have to be contacted personally and would become a registered voter if all required information is valid and complete.

The Registrar-Recorder indicates that because the Help America Vote Act of 2002 mandates that information must be verified independently against governmental data bases, and until verification occurs, the individual affidavit for registration cannot be processed. Many individuals registering or re-registering to vote are not providing this legally required information on their affidavits of registration. Consequently, despite sending more than 25,000 follow up letters and making thousands of phone calls attempting to gather this information, the majority of these voter registration forms remain unprocessed.

Because this measure will help election officials to independently gather and verify information in the voter's record, the Registrar-Recorder recommends support for this proposal.

There is no current Board Policy on amending the election code in order to automate the gathering of identifying information necessary to complete Voter Registration Affidavits. Therefore, a position on this issue is a matter of Board Policy determination.

DEJ:GK  
MAL:RM:cc

c: Executive Officer, Board of Supervisors  
County Counsel  
Registrar-Recorder